



City of Seattle

Greg Nikels, Mayor

Department of Design, Construction and Land Use

Diane Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF DESIGN, CONSTRUCTION AND LAND USE**

Application Number: 2207740

Applicant Name: Suzanne Cole for Seattle Hebrew Academy

Address of Proposal: 1617 Interlaken Drive E.

SUMMARY OF PROPOSED ACTION

Master Use Permit for future site improvements to an existing private school (Seattle Hebrew Academy). The project includes 1,500 cy of grading for a new driveway access road, a drop off zone, and an expanded surface parking lot providing from 25 spaces to 53 spaces with 9 additional stalls provided.

The following approvals are required:

SEPA - Environmental Determination - Chapter 25.05, Seattle Municipal Code

Administrative Conditional Use - To allow expansion of an institution in a single family zone. Seattle Municipal Code (SMC) 23.45.184.D

SEPA DETERMINATION: ☐ Exempt ☐ DNS ☐ MDNS ☐ EIS

☒ DNS with conditions

☐ DNS involving non-exempt grading or demolition or
involving another agency with jurisdiction

BACKGROUND DATA

Site Description

The 3.9 acre site is located on the western margin of Interlaken Park at the north slope of the Capital Hill Neighborhood. The site is within a Single Family Residential (SF 5000) zoning district and is developed with a four-story, historically designated school building; a smaller

gymnasium building, several portable structures and at the southwest corner of the property, a paved parking lot for approximately 30 vehicles. The property is heavily treed and landscaped.

The topography of the site varies with a 60-foot elevation difference across the property. The buildings and parking lot are located on a relatively level ridge with slopes dropping away from the building site to the east, north, and west. There are some portions of the site that have slopes of 40% or greater and are therefore, classified as Environmentally Critical Area (ECA), steep slopes areas.

Access to the school's front entry and loading area is via an easement from Interlaken Drive East which is a park road rather than a public street. Access to the existing parking lot is via 18th Avenue E. which at this location is a 40-foot wide private access road, which serves the school and seven single family residences. The existing paved parking lot and access driveway comprise an area of approximately 15,800 sf.

Vicinity Description

The surrounding neighborhood is developed with single family residences to the south and west. The area to the west and south are parklands. The entire vicinity is zoned SF 5000.

Proposal Description

The proposal is to provide site improvements to an existing school campus, including a newly paved parking lot, reconfigured to provide parking for 53 vehicles; a new 26-foot wide access driveway to the parking lot via Interlaken Drive E.; a reconfigured front entry drive that would also provide parking for six vehicles; a new vehicle turn-around at the end of 18th Avenue E.; paved pedestrian pathways and new landscaping through-out. The paved surface area of the newly configured parking lot and access driveway would be approximately 25,800 sf. Approximately 19 trees would be removed and approximately 1,500 cubic yards of earth would be graded.

Public Comment

A letter was received from an attorney representing some surrounding neighbors. The initial design of the access driveway was unacceptable to these neighbors because it would remove a favorite sitting space within the Park boundaries. The applicant held a community meeting with the neighborhood members and Parks Department staff in April, 2003 where many concerns were disclosed. As a result, the applicant redesigned the access driveway to the single entry point that is part of this review. The comment period began April 2, 2003 and was extended through May 1, 2003.

ANALYSIS - ADMINISTRATIVE CONDITIONAL USE

The proposal is subject to the applicable general provisions of the Land Use Code cited at SMC 23.44.018 for all conditional uses and to the specific provisions applicable to institutions cited at SMC 23.44.022. In the following analysis, the applicable Code citations are set forth in *italics* and the Department's response in regular type face.

SMC 23.44.022 Institutions.

D. General Provisions.

1. New or expanding institutions in single-family zones shall meet the development standards for uses permitted outright in Sections 23.44.008 through 23.44.016 unless modified elsewhere in this subsection or in a Major Institution master plan.

The proposal is for internal site improvements only. The school's campus boundaries would not be expanded. The Department of Parks and Recreation are modifying an existing access easement granted to the property from Interlaken Drive E. to accommodate the revised access driveway. DCLU has verified that the proposed easement would be granted by the Parks Department subject to approval by the Seattle City Council. The proposed site improvements including parking lot layout and width of the access driveways meet the above applicable Land Use Code development standards.

H. Noise and Odors. For the purpose of reducing potential noise and odor impacts, the Director shall consider the location on the lot of the proposed institution, on-site parking, outdoor recreational areas, trash and refuse storage areas, ventilating mechanisms, sports facilities and other noise-generating and odor-generating equipment, fixtures or facilities. The institution shall be designed and operated in compliance with the Noise Ordinance, Chapter 25.08.

In order to mitigate identified noise and/or odor impacts, the Director may require measures such as landscaping, sound barriers or fences, mounding or berming, adjustments to yard or parking development standards, design modifications, setting hours of operation for facilities or other similar measures.

There would likely be increased concentrated noise associated with additional passenger vehicles using the expanded parking lot. This additional noise would occur during special school events beyond the normal school day hours of operation. At present passenger vehicles are utilizing Park property along Interlaken Drive E. to accommodate event parking. With the expansion of the school's parking lot the existing noise levels and impacts to the Park would be somewhat offset with the use of the lot. However, adverse affects to the abutting single family neighbors would occur. To mitigate these effects, it is appropriate to require that the applicant provide solid wood fencing together with an enhanced landscaped buffer along the perimeter of the parking lot adjacent to the abutting single family residences (along the south and east borders).

I. Landscaping. Landscaping shall be required to integrate the institution with adjacent areas, reduce the potential for erosion or extensive stormwater runoff, reduce the coverage of the site by impervious surfaces, screen parking from adjacent residentially zoned lots or streets or to reduce the appearance of bulk of the institution.

Landscaping plant materials shall be species compatible with surrounding flora. Existing plant material may be required to be retained. Maintenance of landscaped areas shall be the continuing responsibility of the owner.

The proposed parking lot would be set back 10 feet from the abutting residential property to the west and over 20 feet to the residential property to the south. The new access driveway would be via Interlaken Drive E. and would be wholly contained within school boundaries. With the above required fencing and landscaping, no further landscaping is necessary pursuant to this standard.

M. Transportation Plan. A transportation plan shall be required for proposed new institutions and for those institutions proposing expansions which are larger than four thousand (4,000) square feet of structure area and/or are required to provide an additional twenty (20) or more parking spaces. The Director shall determine the level of detail to be disclosed in the transportation plan based on the probable impacts and/or scale of the proposed institution. Discussion of the following elements and other factors may be required:

1. Traffic. Number of staff on site during normal working hours, number of users, guests and others regularly associated with the site, level of vehicular traffic generated, traffic peaking characteristics of the institution and in the immediate area, likely vehicle use patterns, extent of traffic congestion, types and numbers of vehicles associated with the institution and mitigating measures to be taken by the applicant;

2. Parking. Number of spaces, the extent of screening from the street or abutting residentially zoned lots, direction of vehicle light glare, direction of lighting, sources of possible vibration, prevailing direction of exhaust fumes, location of parking access and curb cuts, accessibility or convenience of parking and measures to be taken by the applicant such as preference given some parking spaces for carpool and vanpool vehicles and provision of bicycle racks;

3. Parking Overflow. Number of vehicles expected to park on neighboring streets, percentage of on-street parking supply to be removed or used by the proposed project, opportunities for sharing existing parking, trends in local area development and mitigating measures to be taken by the applicant;

4. Safety. Measures to be taken by the applicant to ensure safe vehicular and pedestrian travel in the vicinity;

5. Availability of Public or Private Mass Transportation Systems. Route location and frequency of service, private mass transportation programs including carpools and vanpools, to be provided by the applicant.

In this instance the applicant is not expanding the gross square footage of the institution. Previous permits have recently been issued for modifications to the entry of the structure to repair earthquake damage and to accommodate ADA access. The subject proposal is for site improvements only. The additional parking is not required by the Land Use Code but is proposed only as a means to provide capacity for visitors to the institution during school events. Therefore, the proposal is not subject to this standard and a transportation plan is not warranted.

SMC 23.44.018 General provisions.

C. A conditional use may be approved, conditioned or denied based on a determination of whether the proposed use meets the criteria for establishing a specific conditional use and whether the use will be materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the property is located.

D. In authorizing a conditional use, the Director or Council may mitigate adverse negative impacts by imposing requirements or conditions deemed necessary for the protection of other properties in the zone or vicinity in which the property is located.

Based upon the conditions of approval the proposed use would not appear to be materially detrimental to the public welfare or injurious to property in the zone or vicinity in which the property is located. As conditioned, all the criteria for establishing the subject institutional use appear to be met.

Mitigation to anticipated impacts such as parking traffic and noise shall be required as noted above and as conditioned below.

DECISION - ADMINISTRATIVE CONDITIONAL USE

CONDITIONALLY GRANTED

ANALYSIS - SEPA

The initial disclosure of the potential impacts from this project was made in the environmental checklist submitted by the applicant and annotated by the Department. This information, supplemental information found in the file, and the experience of the lead agency with review of similar projects form the basis for this analysis and decision.

The SEPA Overview Policy (SMC 25.05.665) clarifies the relationship between codes, policies, and environmental review. Specific policies for each element of the environment, and certain neighborhood plans and other policies explicitly referenced, may serve as the basis for exercising substantive SEPA authority. The Overview Policy states, in part, *"Where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation"* (25.05.665 D1-7) subject to some limitations. Under such limitations/circumstances, mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

Short-term Impacts

The following temporary or construction-related impacts are expected: decreased air quality due to increased dust and other suspended air particulates during grading and site related construction; tracking of mud onto adjacent streets by construction vehicles; increased traffic and parking demand from construction equipment and personnel; conflicts with normal pedestrian and vehicular movement adjacent to the site, and increased noise. Due to the temporary nature and limited scope of these impacts, they are not considered significant.

Several adopted city codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the Noise Ordinance (construction noise in general); Grading and Drainage Control Ordinance (grading, site excavation, and soil erosion); Puget Sound Clean Air Agency (PSCCA) (air quality control); Street Use Ordinance (watering streets to suppress dust); the Building Code (construction measures in general); Environmentally Critical Areas Ordinance (disturbance of steep slopes). These ordinances and regulations provide adequate mitigation for most of the construction-related impacts. However, because of the close proximity of residential receptors, traffic associated with grading activities, disturbance of steep sloped areas, and removal of exceptional trees, further discussion of these adverse impacts is appropriate.

Earth/Soils

Approximately 25,506 sf of the site meet the definition of a steep slope per the ECA ordinance this is approximately 15% of the entire 3.9-acre site. Of this amount approximately 6,897 sf (or 1.5% of the entire site) would be disturbed during grading activities. None of the existing steep

slope system abutting parklands at the northwest corner of the property would be disturbed. The area that would be disturbed is part of previously landscaped area just south of the school's gymnasium and play area and is the location of the proposed driveway to the parking lot.

The ECA Ordinance and Directors Rule (DR) 3-93 require submission of a soils report to evaluate the site conditions and provide recommendations for safe construction in areas with steep slopes, liquefaction zones, and/or a history of unstable soil conditions. Pursuant to this requirement the applicant submitted a report from PanGeo Incorporated, dated February 2003. The report details site soil conditions and provides site construction recommendations for steep slope areas and other areas specific to the proposal site's geologic circumstances. The construction plans, including shoring of excavations as needed and erosion control techniques will be reviewed by DCLU geo-technical staff in conjunction with grading permit review. Any additional information required to show conformance with applicable ordinances and codes (ECA ordinance, The Stormwater, Grading and Drainage Control Code, DR 3-93, and 3-94) would be required prior to issuance of grading permits. Applicable codes and ordinance provide extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used, therefore, no additional conditioning is warranted pursuant to SEPA policies.

The Stormwater, Grading and Drainage Control Code requires preparation of a soils report to evaluate the site conditions and provide recommendations for safe construction on sites where grading will involve cuts or fills of greater than three feet in height or grading greater than 100 cubic yards of material. The Stormwater, Grading and Drainage Control Code provides extensive conditioning authority and prescriptive construction methodology to assure safe construction techniques are used, therefore, no additional conditioning is warranted pursuant to SEPA policies.

Plants and Animals

As previously mention the site and surrounding parklands are heavily treed. As a result of this proposal approximately 19 trees would be removed as a result of grading and construction activities. The following trees would be removed:

- 1 --12" wide Big Leaf Maple
- 6 -- 8"-14" wide European White Birch
- 6 -- 6"-14" wide Douglas Fir
- 6 -- 6"-14" wide Western Red Cedar

The applicant has made every attempt to minimize the impact to trees on site and still meet minimum Code access standards and parking lot size. As a condition of project approval, it is appropriate per SEPA Plant and Animal Policies (SMC25.05.675.N), to require replacement with similar trees. The applicant should submit a landscape plan and planting schedule showing the location, type and installation of the trees prior to issuance of this MUP. Also, an appropriate irrigation system/maintenance plan should be included.

Construction Noise

Most of the site work would involve the use of loud equipment and activities. This construction activity would have an adverse impact on the neighboring residences. Because of the close proximity, the Department finds that the limitations of the Noise Ordinance are inadequate to appropriately mitigate the adverse noise impacts associated with the proposal. The SEPA Construction Impact policies, (SMC 25.05.675.B) allow the Director to limit the hours of construction to mitigate adverse noise and other construction-related impacts. Therefore, the proposal is conditioned to limit construction activity to non-holiday weekday hours between 7:30 a.m. and 6:00 p.m.

Construction Traffic

None of the material proposed to be graded would be exported from the site. All the excavated material would be shifted to various locations on the property. No additional earth would be imported. Truck trips would be limited to delivery of construction equipment and landscaping materials. Construction workers would park their personal passenger vehicles on-site. The applicant has indicated that very few vehicles trips would access the property via 18th Avenue E. with the majority using Interlaken Drive to the extent practical. It is anticipated that approximately 10 vehicle trips would occur on-site per day.

Other Short-term Impacts

The other short-term impacts not noted here as mitigated by codes, ordinances, or conditions (e.g., increased traffic during construction, additional parking demand generated by construction personnel and equipment, increased use of energy and natural resources) are not sufficiently adverse to warrant further mitigation or discussion.

Long-term Impacts

Long-term or use-related impacts are anticipated from the proposal: changes in vehicular traffic and parking in the expanded parking lot and increased ambient noise and human activity. Due to the relatively limited scope and scale of the proposed use and its generally similar scale to existing conditions, the impacts are minor in scope. Several impacts would be mitigated by the City's adopted codes and/or ordinances. Specifically these are the Grading and Drainage Control Ordinance (storm water runoff from additional site coverage by impervious surface) and the Building Code. Parking and traffic impacts will be discussed in more detail below.

Parking/Traffic

Parking and traffic impacts are expected to be comparable to the former use, although concentrated in the expanded parking lot. Because these impacts are considered non substantial, no mitigation appears necessary under SEPA policies.

Noise

As previously discussed in the analysis for conditional use approval, a slight increase in noise impacts would occur. The additional capacity of the parking lot would allow more visitors to park on the site. However, the use of the lot would be limited to special events. The proposal has been conditioned to provide enhance screening and landscaping to mitigate expected adverse impacts and therefore, no further mitigation per SEPA Noise Policies is warranted.

DECISION - SEPA

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030 2C.
- [] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.020 2C.

DECISION - CONDITIONAL USE

The proposed action is **CONDITIONALLY GRANTED** subject to the conditions noted at the end of this report.

CONDITIONS - ADMINISTRATIVE CONDITIONAL USE

Prior to Issuance of Master Use Permit

The owner(s) and/or responsible party's shall:

Revise the plans to show the following:

1. A six foot tall wood fence or similar noise attenuating fence shall be constructed along the perimeter of the parking area abutting single family residences. Further the perimeter area shall have a 5-foot wide planting strip to be vegetated with plants that would provide solid screening.

Prior to Certificate of Occupancy

2. The owner's and/or responsible party(s) shall provide the above improvements.

CONDITIONS - SEPA

Prior to Issuance of Master Use Permit

The owner(s) and/or responsible party's shall:

Revise the plans to show the following:

3. Replacement location for the 19 trees over 6 inches in diameter to be removed during grading of the site.

During Construction

4. The hours of construction/grading activities shall be limited to day time, week day hours between 7:30 AM and 6:00 PM, Monday through Friday. Some activities, such as non-motorized planting and rockery construction may occur on weekends during day light hours. A construction schedule should be submitted to the Land Use Planner one week prior to any weekend activities for approval.

Signature: (signature on file) Date: June 19, 2003

Carol I. Proud, Sr. Land Use Planner
Department of Design, Construction and Land Use
Land Use Services

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